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## FISCAL IMPACT REPORT

ORIGINAL DATE 01/23/13

SPONSOR Campos LAST UPDATED \_\_\_\_\_ HB \_\_\_\_\_

SHORT TITLE Morphy Lake Dam Renovation SB 241

ANALYST McCoy

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY13	FY14		
	\$250.0	Nonrecurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

Office of the State Engineer/Interstate Stream Commission (OSE/ISC)

### SUMMARY

#### Synopsis of Bill

Senate Bill 241 (SB241) appropriates \$250,000 from the general fund to the Office of the State Engineer in fiscal year 2014 for planning, design and flood hazard studies required to renovate Morphy Lake dam.

### FISCAL IMPLICATIONS

The appropriation of \$250,000 contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2014 shall revert to the general fund. According to the Office of the State Engineer/ Interstate Stream Commission (OSE/ISC), pre-construction activities for rehabilitation of the dam will likely exceed the appropriated amount and follow up funding for construction will have to be secured by the grantees at a future time.

**SIGNIFICANT ISSUES**

The OSE/ISC reports, numerous deficiencies have been identified at the Morphy Lake dam and the dam was given a rating of poor during its last OSE inspection in 2007. Morphy Lake dam is currently classified as a low hazard dam, but the agency points out it may need to be reclassified to a significant hazard dam or high hazard dam status based on potential for injury to life and property during a failure. The OSE/ISC also notes, the reclassification analysis would likely be part of any planning and design activities.

**OTHER SUBSTANTIVE ISSUES**

Morphy Lake dam is owned by the Acequia De La Isla and the Acequia De San Jose associations. The OSE/ISC noted, the agency's dam safety bureau supports rehabilitation of Morphy Lake dam.

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Planning and design for rehabilitation to correct deficiencies at Morphy Lake dam will be delayed and rehabilitation cannot proceed without approved construction documentation.

MTM/bm